IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.10920 of 1999

Dated: 28-03-2007

Between:

1. Arjilli Lakshmi, w/o Bhoolokayya and 5 others.

... Petitioners

and

1. The Revenue Divisional Officer,
   Narsipatnam,
   Visakhapatnam District and another.

... Respondents

ORDER:

Petitioners state that they have been in possession and enjoyment of agricultural lands in an extent of Acs.21-39 cents in Sy.Nos.147, 149, 150 and 154, situated at Kesavaram village since last six years.

In recognition of their peaceful, uninterrupted possession and enjoyment of the said agricultural lands, a Committee consisting of Mandal Revenue Officer, M.L.A., and Revenue Divisional Officer

granted D-Form pattas in favour of petitioners, vide proceedings No.366/1408, dated 09-04-1999. They further states that on account of political pressures, first

respondent – Revenue Divisional Officer suspended the said D-Form pattas, dated 09-04-1999 granted in favour of them vide Proceedings in Rc.No.601/99/C, dated 17-04-1999. Assailing the said orders, petitioners filed the present writ petition seeking a *mandamus* to declare the Proceedings in Rc.No.601/99/C, dated 17-04-1999 passed by first respondent, as arbitrary and illegal

2. Heard learned counsel for the parties.

3. Evidently, a right of appeal is provided for against the orders impugned and hence, this Court is of the view that the writ petition is misconceived. However, having regard to the fact that an appeal is provided under the statute, I deem it appropriate to dispose of the writ petition with a direction to petitioners to approach the appellate authority and file an appeal within a period of six weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition is disposed of. No costs.

Having regard to the fact that this Court on 14-06-1999 while issuing *Rule nisi*, in W.P.M.P.No.13391 of 1999 granted interim stay of all further proceedings in Rc.No.601/99/C, dated 17-04-1999 passed by first respondent pending disposal of the writ petition, respondents are directed not to interfere with the possession of petitioners in respect of the lands in question during the pendency of the appeal.

JUSTICE GOPALAKRISHNA TAMADA

Dt.28-03-2007
GLV